

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Jennifer Gattermeyer,

Plaintiff,

v.

Case No. 1:17cv286

Commissioner of Social Security,

Judge Michael R. Barrett

Defendant.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on July 17, 2019 (Doc. 21).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 21) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 21) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, Counsel should be awarded a gross fee of \$7,365.00 under 42 U.S.C. §406(b). Applying an offset of \$3,000—the amount of the EAJA fee previously awarded—yields a net fee totaling **\$4,365.00**, which should be paid to counsel out of Plaintiffs past-due benefits award.

IT IS SO ORDERED.

s/ Michael R. Barrett
Michael R. Barrett, Judge
United States District Court